

Court of Appeals, State of Michigan

ORDER

People of MI v Douglas Eugene Huey

Docket No. 356996

LC No. 15-091607-FH

Douglas B. Shapiro
Presiding Judge

David H. Sawyer

Mark T. Boonstra
Judges

The motion to waive fees is GRANTED for this case only.

Pursuant to MCR 7.205(E)(2), in lieu of granting the delayed application for leave to appeal, the January 14, 2021 order regarding new trial is VACATED, and the matter is REMANDED to the Branch Circuit Court. On remand the circuit court shall conduct an evidentiary hearing and thereafter make findings on the record or in writing as to whether defendant has presented newly discovered evidence entitling him to a new trial. *People v Johnson*, 502 Mich 541; 918 NW2d 676 (2018); *People v Cress*, 468 Mich 678; 664 NW2d 174 (2003). The circuit court shall also appoint counsel to represent defendant at the evidentiary hearing. MCR 6.505(A). This order has immediate effect. MCR 7.215(F)(2). The Court does not retain jurisdiction.



Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

June 22, 2021

Date



Chief Clerk